



The End of Mei Sotah

Towards the end of the *masechet*, the *Mishnah* describes how the spiritual decline of the Jewish people had legal ramifications. The first two listed (9:9) are that the rise in murders brought an end to the process of *eglah arufa*. Recall that this process was performed if a body was found left on the roadside, with the murderer unknown. The *Mishnah* continues that, with rise in adultery, the process of *mei sotah* also ended.

The *Gemara* (47b) cites a *beraitah* that explains as follows. The *parasha* that discusses the process of *sotah* ends (*Bamidbar* 5:38), "and the man shall be clean of sin, and the woman shall bear her sin." The *Chachamim* deduce that the *mei sotah* are only effective if the husband has not violated that same sin. The *Beraiata* continues (citing the same *pasuk* cited in our *Mishnah*) explaining that the *mei sotah* would only work if that sin was not violated by his children either. The *Beraiata* adds the even relationships out of wedlock would prevent the *mei sotah* from having an effect. Based on this *Beraiata*, since the rise in promiscuity significantly reduced the likelihood of *mei sotah* being effective, the *Chachamim* ending the process.

The *Rambam* (*Sotah* 3:18) adds, considering that the *mei sotah* was then ineffective, performing the process of *sotah* nonetheless would be detrimental on two counts. Firstly, part of the process was that parchment with *Hashem's* name was wiped in the *mei sotah*. The permit to do so was only in the case where *mei sotah* would be effective; otherwise wiping out *Hashem's* name is a serious prohibition. Secondly, if she did commit the crime, since the *mei sotah* would not be effective, she might share the truth with her friends and claim that the *mei sotah* is simply a joke.

The *Tosefta* (14:1) however explains the both the *eglah arufa* and *mei sotah* ended for the same reason. Both processes are only performed in a case of doubt – we do not know who the murderer is in the case of *eglah arufa* and, despite being witnessed in seclusion with another man, we do not know if adultery was committed. In both cases, even if one person witnessed the sin, then either process would not continue. The *Tosefta* explains, that it was not simply the increase in murders that brought an end to *eglah arufa*, but murders committed in the open. Consequently, the likelihood increased that someone saw the murder. The *Tosefta* continues that once promiscuity became more prevalent in the open, it was likely that if the affair was committed, someone saw it. Once again, this would mean that *mei sotah* would be ineffective.

According to both these explanations, the decline in behaviour meant that the technical requirements of *mei sotah* could no longer be met and was therefore ended.

The *Ramban* however describes the process of *sotah* as the only law in the *Torah* that is dependent on a *miracle* for its outcome. It is however only miraculous as long as *Am Yisrael* are deserving of it. Its presence was to deter immoral acts and ensure the *Am Yisrael* are clean of *mamzerut*, so they can be fit for *Hashem* to dwell amongst them. The *Ramban*, at the end of his comment, summarises that this miraculous process was a great honour for *Klal Yisrael*. The lack of effectiveness of the *mei sotah* with the decline was not only technical in nature. It was also that once they became corrupt, *Am Yisrael* no longer merited the miracle that was there to ensure that we continue to be a holy people. Note however that the *masechet* ends with the ultimate turnaround and *teshuvah* of our people – may we merit to be a part of it soon.

Yisrael Bankier

Revision Questions

סוטה ח' ג' – ט' ט'

- Was a *machzir gerushato* sent home from the battlefield? (ח' ג')
- Which people would be exempt from all army service, on and off the field? (ח' ד')
- What are the three opinions regarding to whom the following verse refers: (ח' ה')

"הירא ורך לבב"
- Could people leave the battlefield once the battle begun? (ח' ו')
- What are the two opinions regarding in which battles everyone partook? (ח' ז')
- Explain the debate regarding how many people were sent from the *Beit Din* in *Yerushalaim* for the *eglah arufah* procedure. (ט' א')
- In what state must the body be found in order that the *eglah arufah* be performed? (ט' ב')
- Would the *eglah arufah* be performed if the closest city did not have a *Beit Din*? (ט' ג')
- If the head was severed from the body, where was the body buried? (ט' ד')
- Explain the debate regarding from which part of the body the distance to the closest city was measured. (ט' ה')
- Who would perform the *eglah arufah*? (ט' ו')
- Where was the *eglah arufah* performed? (ט' ז')
- What work could be performed on the site of the *eglah arufah*? (ט' ח')
- Why would the *Beit Din* say: (ט' ט')

"ידינו לא שפכה את הדם הזה ועינינו לא ראו"
- What would happen to the *egel* if the murderer was found prior to the *arufah*? (ט' י')
- Could the murderer be tried if he was found after the performance of the *eglah arufah*? (ט' יא')
- If one person said they saw the murder and another dismissed his claim, would they still carry out the *eglah arufah*? (ט' יב')
- From what point did they cease performing *eglah arufah*? (ט' יג')
- What other process stopped as a result of societal changes? (ט' יד')
- What ended with the deaths of *Yosi ben Yo'ezer* and *Yosi ben Yochanan*? (ט' טו')

Melbourne, Australia

Sunday -Thursday
10 minutes before *Mincha*
Mizrachi Shul
Melbourne, Australia

Friday & Shabbat
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Melbourne, Australia

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Next Week's Mishnayot...

Sunday	Monday	Tuesday	Wednesday	Thursday	Friday	שבת קודש
9 September כ"ט אלול	10 September א' תשרי	11 September ב' תשרי	12 September ג' תשרי	13 September ד' תשרי	14 September ה' תשרי	15 September ו' תשרי
Sotah 9:10-11	Sotah 9:12-13	Sotah 9:14-15	Gittin 1:1-2	Gittin 1:3-4	Gittin 1:5-6	Gittin 2:1-2

